

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
COLUMBUS DIVISION

UNITED STATES OF AMERICA,

\*

vs.

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HOWATDRICK JONES,

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CASE NO. 4:22-CR-12 (CDL)

Defendant.

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VERDICT

Based on the evidence presented during the nonjury trial in this action and as announced orally in open court at the conclusion of the trial, the Court finds beyond a reasonable doubt as follows:

- (1) As to Count One of the Indictment, Possession with Intent to Distribute Cocaine Base, the Court finds the Defendant GUILTY;
- (2) As to Count Two of the Indictment, Possession of a Firearm in Furtherance of a Drug Trafficking Crime, the Court finds the Defendant GUILTY;
- (3) As to Count Three of the Indictment, Possession of a Firearm by a Convicted Felon, the Court finds the Defendant GUILTY.

FINDINGS OF FACT

Although the rules only require specific findings of fact if requested by the Defendant, the Court finds it appropriate to make

such findings in this case which are made as follows and beyond a reasonable doubt:

- 1) The Court finds that the Defendant possessed a Schedule II controlled substance consisting of approximately 20 grams of a mixture or substance containing a detectable amount of cocaine base, also known as crack cocaine. The cocaine base was found in the vehicle that Defendant was driving and which contained no other passengers. The cocaine base was located in the console immediately adjacent to where the Defendant would have been seated while driving the vehicle.
- 2) The Court finds that Defendant possessed the crack cocaine with the intent to distribute it. The amount of crack cocaine possessed was substantially more than the amount that would be possessed by someone who intended to use it for his sole benefit. The amount possessed here was consistent with the amount that would be possessed by someone intending to distribute it. In addition to the amount, scales that are typically used to weigh smaller quantities of illegal drugs for sale were found in close proximity to the drugs along with a razor blade that is typically used to cut cocaine base for sale.
- 3) The Court finds that the Defendant possessed the beretta pistol and that he possessed it in furtherance of the drug

trafficking crime for which Defendant has been found guilty regarding Count 1 of the indictment. The gun was discovered on Defendant's person when he was searched upon processing at the jail. The only other way the gun could have come into his possession is for him to have placed it in his possession or for the law enforcement officers who arrested him to have planted the gun on him. The Court finds that the arresting officers missed the gun when they did a careless search of the Defendant at the scene, and that the gun was not planted on him by the law enforcement officers. The Court finds that he possessed the gun when he was driving his vehicle and when he departed his vehicle. The Court further finds that in light of the illegal drugs, the scales, and the razor blade and the fact that as a convicted felon Defendant otherwise had no legitimate reason for possessing the gun, that the Defendant possessed the gun to protect his illegal product and facilitate his drug dealing operation, and thus the gun was possessed in furtherance of the drug trafficking crime for which he has been found guilty in Count 1.

- 4) As noted above, the Defendant possessed the beretta firearm. The firearm traveled in interstate commerce. And Defendant was a convicted felon at the time he possessed it, having at least two previous felony convictions. The

Court further finds that Defendant knowingly possessed the firearm knowing that he was a convicted felon.

5) The crimes for which Defendant has been found guilty were committed within the Middle District of Georgia, and Defendant was properly identified as the person who committed those crimes.

This 23rd day of September, 2024.

S/Clay D. Land

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CLAY D. LAND

U.S. DISTRICT COURT JUDGE

MIDDLE DISTRICT OF GEORGIA